



May 8, 2001

Micheline Gravelle B.Sc., M.Sc. (Immunol.)
416 957 1682 mgravelle@bereskinparr.com

Your Reference: 09/645,593
Our Reference: 9369-151

Commissioner for Patents and Trademarks
Washington, D.C. 20231
U.S.A.

Dear Sir:

**Re: RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

United States Patent Application No. 09/645,593

Entitled: Flax Seed Specific Promoters

**Inventors: Sarita Chaudhary, Gijs van Rooijen, Maurice Moloney
and Surinder Singh**

Filing Date: August 25, 2000

Grp Art Unit: 1643

This is in response to the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated April 9, 2001. The Notice to Comply states that the application fails to comply with the requirements of 37 C.F.R. 1.821-1.825.

By the present amendment, Applicants have amended the Sequence Listing to define all references to "n" at numeric identifiers <220> to <223> in SEQ.ID.NOS. 8 and 10.


Applicants are submitting herewith (1) a copy of the Notice to Comply; (2) a Sequence Listing in paper form; (3) a Sequence Listing in computer readable form (a 3.5" floppy diskette) in the ASCII format and (4) a statement (set forth below) that the paper form and the computer readable form of the Sequence Listing are the same. A Preliminary Amendment, which inserts an amended Sequence Listing into the specification, is being simultaneously filed.

In accordance with the requirements of 37 C.F.R. 1.821-1.825 the undersigned verifies that the paper form of the Sequence Listing and the computer readable form of the Sequence Listing are the same.

If any fees are due, including a fee for an extension of time, such an extension is hereby requested and the Commissioner is authorized to charge any such fee to Deposit Account No. 02-2095.

Respectfully submitted,

Sarita Chaudhary et al.



Micheline Gravelle
Registration No. 40,261

Bereskin & Parr
Box 401, 40 King Street West
Toronto, Ontario, Canada
M5H 3Y2

Tel. (416) 364-7311

Notice to Comply

Application No.

09/645,593

Examiner

David H Kruse

Applicant(s)

CHAUDHARY ET AL

Art Unit

1638

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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